

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSHUA I. PAYNE,

Plaintiff

v.

MARGARET GORDON, *et al.*,

Defendants

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Civil No. 3:17-cv-1230

(Judge Mariani)

ORDER

AND NOW, this 6th day of February, 2020, upon consideration of Plaintiff's motion (Doc. 62) for summary judgment, and for the reasons set forth in the Court's Memorandum of the same date, **IT IS HEREBY ORDERED THAT:**

1. The motion (Doc. 62) is **DENIED**.
2. Defendants' request for dismissal of the conspiracy claim on the basis of qualified immunity is **DENIED** without prejudice.
3. A separate Order will issue setting this case for trial.

A handwritten signature in black ink, appearing to read 'R. Mariani', written over a horizontal line.

Robert D. Mariani
United States District Judge